

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: COMMODITY EXCHANGE, INC. : Case No. 14-MD-2548 (VEC)  
GOLD FUTURES AND OPTIONS :  
TRADING LITIGATION : ECF CASE  
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This Document Relates To All Actions :  
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**DECLARATION OF ERIC J. STOCK IN SUPPORT OF  
UBS AG AND UBS SECURITIES LLC'S MOTIONS TO DISMISS  
THE THIRD CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Pursuant to 28 U.S.C. § 1746, Eric J. Stock declares as follows:

1. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel for UBS AG and UBS Securities LLC (together, "UBS") in this action. I am admitted to practice before this Court. I submit this declaration in support of UBS's motions under Rules 12(b)(2) and 12(b)(6) to dismiss the Third Consolidated Amended Class Action Complaint (the "TAC"), which Plaintiffs filed on June 16, 2017.

2. The TAC quotes alleged "chats" between Deutsche Bank personnel and traders at UBS, which I understand are drawn from documents that Deutsche Bank disclosed to government investigators.

3. Attached hereto as Exhibit 1 is a chart describing all of the UBS "chats" quoted in the TAC that UBS was able to locate from its records. UBS has, as of the date of this declaration, been unable to locate in its records the UBS "chats" quoted in the TAC at paragraphs 365 and 373.

4. To more completely present these chats, the Exhibit 1 chart includes the time stamps that Plaintiffs omitted from the excerpts provided in the TAC. The summary chart further

contains a column titled “*Alleged Gold Trade By Plaintiffs on Date of Chat?*,” which indicates whether a named Plaintiff alleges in the TAC that it sold gold on the day of the quoted chat.

5. Attached hereto as Exhibits 2 through 17 and described further below are true and correct copies of excerpts of the Reuters chats quoted in Exhibit 1. They have been abridged so that only the portions of the Reuters chats that are quoted in the TAC appear in Exhibits 2 through 17.

6. Based upon our consultations with the vendor that assisted us in processing these chats, the timestamps appearing throughout the attached exhibits are in Universal Time Coordinated (“UTC”). I understand that UTC is equivalent to Greenwich Mean Time, the time observed in London from approximately October to March, while from March to October, the time in London (known as British Summer Time) is one hour ahead of UTC. *See <https://www.timeanddate.com/worldclock/timezone/utc/>*. Singapore Standard Time is generally eight hours ahead of UTC. *See <https://www.timeanddate.com/worldclock/singapore/singapore>*.

7. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt from a chat from November 15-16, 2010, which contains the chat excerpts quoted in Exhibit 1 at Reference 1, and which was quoted in the TAC at paragraph 368.

8. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt from a chat from February 28-March 1, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 2, and which was quoted in the TAC at paragraphs 11 and 360.

9. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt from a chat from March 20, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 3, and which was quoted in the TAC at paragraphs 12 and 364.

10. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt from a chat from March 31-April 1, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 4, and which was quoted in the TAC at paragraph 361.

11. Attached hereto as Exhibit 6 is a true and correct copy of an excerpt from a chat from April 8, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 5, and which was quoted in the TAC at paragraph 369.

12. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt from a chat from April 10, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 6, and which was quoted in the TAC at paragraph 367.

13. Attached hereto as Exhibit 8 is a true and correct copy of an excerpt from a chat from May 11, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 7, and which was quoted in the TAC at paragraph 363.

14. Attached hereto as Exhibit 9 is a true and correct copy of an excerpt from a chat from June 13-14, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 8, and which was quoted in the TAC at paragraph 369.

15. Attached hereto as Exhibit 10 is a true and correct copy of an excerpt from a chat from June 14, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 9, and which was quoted in the TAC at paragraph 369.

16. Attached hereto as Exhibit 11 is a true and correct copy of an excerpt from a chat from June 14, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 10, and which was quoted in the TAC at paragraph 369.

17. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt from a chat from June 28, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 11, and which was quoted in the TAC at paragraph 362.

18. Attached hereto as Exhibit 13 is a true and correct copy of an excerpt from a chat from July 20, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 12, and which was quoted in the TAC at paragraph 371.

19. Attached hereto as Exhibit 14 is a true and correct copy of an excerpt from a chat from July 26, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 13, and which was quoted in the TAC at paragraph 366.

20. Attached hereto as Exhibit 15 is a true and correct copy of an excerpt from a chat from August 16, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 14, and which was quoted in the TAC at paragraph 371.

21. Attached hereto as Exhibit 16 is a true and correct copy of an excerpt from a chat from August 17, 2011, which contains the chat excerpts quoted in Exhibit 1 at Reference 15, and which was quoted in the TAC at paragraph 370.

22. Attached hereto as Exhibit 17 is a true and correct copy of an excerpt from a chat from February 9, 2012, which contains the chat excerpts quoted in Exhibit 1 at Reference 16, and which was quoted in the TAC at paragraph 372.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
September 11, 2017

/s/ Eric J. Stock

Eric J. Stock